



DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

NOV - 2 1992

Mr. Bob Brenner
Federal Ordnance, Inc.
1443 Potrero Avenue
South El Monte, California 91733

Dear Mr. Brenner:

This refers to your letter of August 24, 1992, to the Bureau of Alcohol, Tobacco and Firearms (ATF), in which you asked that M2 .30/06 caliber armor piercing ammunition be exempted from the definition of armor piercing ammunition as contained in 18 U.S.C. Chapter 44 § 921(a)(17)(B).

The cited section defines armor piercing ammunition as:

The term "armor piercing ammunition" means a projectile or projectile core which may be used in a handgun and which is constructed entirely (excluding the presence of traces of other substances) from one or a combination of tungsten alloys, steel, iron, brass, bronze beryllium copper or depleted uranium. Such term does not include shotgun shot required by Federal or State environmental or game regulations for hunting purposes, a frangible projectile which the Secretary finds is primarily intended to be used for sporting purposes, or any other projectile or projectile core which the Secretary finds is intended to be used for industrial purposes, including a charge used in oil and gas well perforating device.

Examination of the M2 .30/06 caliber armor piercing ammunition indicates that the projectile is constructed using a full metal jacket and a projectile core constructed from steel. Based on its construction and the fact that a handgun chambered for the .30/06 cartridge has recently been made commercially available, the ammunition in question meets the definition of armor piercing ammunition.

-2-

Mr. Bob Brenner

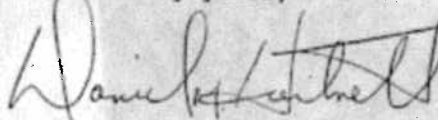
However, based on our research and the background information provided with your letter, it is well documented that the M2 .30/06 armor piercing cartridge has been recognized as being suitable for target shooting with rifles due to its accuracy.

Therefore, ATF feels that M2 .30/06 caliber armor piercing ammunition is primarily intended for sporting purposes and is not subject to the restrictions imposed on the manufacture, importation, or distribution of armor piercing ammunition.

Please be advised that should unforeseen problems develop, this classification is subject to review.

We trust that the foregoing has been responsive to your inquiry.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Daniel J. L. [unclear]", written over a horizontal line.

Deputy Director

ROUTING AND TRANSMITTAL SLIP

Date 10/15/92

TO: (Name, office symbol, room number,
building, Agency/Post)

Initials

Date

1. Mr. Patterson, Chief Counsel Room 6100

JEP 10-16-92

2. Chief, Firearms Division Room 3110

JH 10/20/92

3. Associate Director, Compliance Ops. Room 8000

4. DADLE Room 3100

JH 10/29

5. ADLE Room 3100

END 10/30

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

The attached letter is a request to exempt .30/06 caliber armor piercing ammunition from the definition of armor piercing ammunition.

The letter has been prepared for signature by the Deputy Director.

Please return to Firearms Technology Branch, Room 6450 for mailing or with any comments.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Room No.—Bldg.

Chief, Firearms Technology

6450

Phone No.

7910

5041-102

☆ U.S. Government Printing Office: 1987-181-246/60000

OPTIONAL FORM 41 (Rev. 7-78)

Prescribed by GSA

FPMR (41 CFR) 101-11.206